

# **EXHIBIT E**

JMK/AES/GKS  
F. #2014R00501

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

-against-

Docket No. 15-CR-637 (KAM)

MARTIN SHKRELI,

Defendant.

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THE GOVERNMENT'S PRELIMINARY EXHIBIT LIST

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(Of Counsel)

The government provides the following preliminary exhibit list in the above-captioned matter pursuant to the Court's Pretrial Order. See Pretrial Order ¶ 3(iv). The government may add to or subtract from this list as it continues trial preparation. In accordance with the Court's Pretrial Order, the government will provide marked copies of its anticipated exhibits at the June 19, 2017 pretrial conference, though some additional exhibits may be added after that date as necessary in advance of, or during, trial.

For each category of exhibits detailed below, the government has provided a list or range of Bates numbers, which appear in the attached appendices:<sup>1</sup>

<b>Appendix No.</b>	<b>Description of Documents</b>
1	Bank and brokerage records for MSMB Capital, MSMB Healthcare and Retrophin
2	Records related to Katten Muchin Rosenman LLP's representation of the MSMB entities and Retrophin, including invoices, time records, correspondence and Evan Greebel's compensation memos
3	Statements of Martin Shkreli and Evan Greebel
4	Account statements sent to investors in MSMB Capital and MSMB Healthcare
5	Subscription agreements and private placement memoranda for MSMB Capital and MSMB Healthcare
6	Records related to the FINRA arbitration between Shkreli, MSMB Capital and Merrill Lynch
7	Bluesheet data (November 2012 – September 2014) for Retrophin stock

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<sup>1</sup> As the appendices reference the names of individuals, such appendices will not be publicly filed on ECF.

Appendix No.	Description of Documents
8	Meeting minutes and email correspondence related to the Retrophin Board of Directors
9	Settlement and consulting agreements referenced in Count Seven of the Superseding Indictment
10	Exhibits to Affidavit in Support of <u>Ex Parte</u> Request for <u>In Camera</u> Review, filed in <u>In re Grand Jury Investigation</u> , 15-MC-2227 (JBW), at Docket No. 10 (the “Crime Fraud Emails”)
11	Email correspondence and documents received from individual MSMB Capital and MSMB Healthcare investors, and former MSMB and Retrophin employees
12	Email correspondence and documents related to the four fraudulent schemes charged in the Superseding Indictment (MSMB Capital Scheme, MSMB Healthcare Scheme, Retrophin Misappropriation Scheme, Retrophin Unrestricted Shares Scheme)

Dated: Brooklyn, New York  
April 21, 2017

Respectfully submitted,

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cc: The Honorable Kiyo A. Matsumoto (by ECF and hand delivery)  
All counsel (by ECF and email)